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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

K20606 US (C038435/0173527)

In re Application of: **Hans-Peter Hohmann et al.**

07/06/2009 SDENB083 00000044 10601086

Application No.: 10/681,086

01 FC:1814

140.03 OP

Filed: October 8, 2003

For: Process for Producing A Target Fermentation Product

The owner*, DSM IP Assets B.V., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,656,721 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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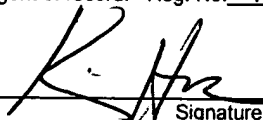
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June 30, 2009

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